

AMENDMENTS TO THE CLAIMS

The following Listing of Claims replaces all previous listings of claims in this application. Please cancel claims 58, 59, and 61-67 without prejudice or disclaimer.

Listing of Claims:

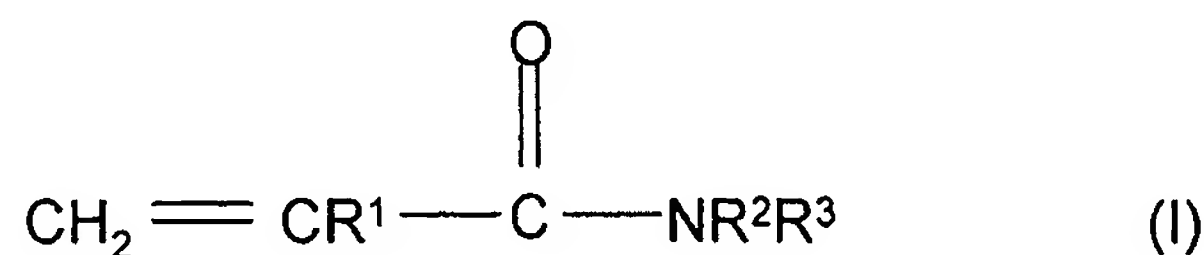
1 - 32. (Canceled)

33. (Currently amended) A ~~cosmetic or pharmaceutical~~hairspary composition comprising

A) at least one copolymer ~~obtainable~~obtained by free radical polymerization of a monomer mixture comprising

a) tert-butyl acrylate ~~and/or~~and, optionally, tert-butyl methacrylate, ~~wherein the component a) comprises tert-butyl acrylate or consists thereof,~~

b) at least one α,β -ethylenically unsaturated amido-containing compound of the formula I



where

R^1 is H or C_1 - C_4 -alkyl,

R^2 and R^3 , independently of one another, are H or C_1 - C_4 -alkyl or R^2 and R^3 together with the nitrogen atom to which they are bonded may also be a 4- to 7-membered heterocycle,

with the proviso that the sum of the carbon atoms of the radicals R^1 , R^2 and R^3 is not more than 4, and

c) acrylic acid, and

B) at least one cosmetically or pharmaceutically acceptable carrier.

34. (Currently amended) The hairspray composition according to claim 33, wherein component b) is selected from the group consisting of acrylamide, methacrylamide, N-methyl(meth)acrylamide, N-ethyl(meth)acrylamide, N-propyl(meth)acrylamide, N-(n-butyl)acrylamide, N-(sec-butyl)acrylamide, N-(tert-butyl)acrylamide, N,N-dimethyl(meth)acrylamide, N,N-diethylacrylamide, N-acryloylmorpholine, N-acryloylpiperazine, N-(meth)acryloylpyrrolidine and mixtures thereof.

35. (Currently amended) The hairspray composition according to claim 33, wherein the component b) comprises methacrylamide and/or N-(tert-butyl)acrylamide or consists of methacrylamide and/or N-(tert-butyl)acrylamide.

36. (Currently amended) The hairspray composition according to claim 33, further comprising methacrylic acid incorporated in the form of polymerized units as component d).

37. (Currently amended) The hairspray composition according to claim 33, further comprising component e), incorporated in the form of polymerized units, at least one compound having an α,β -ethylenically unsaturated double bond capable of free radical polymerization and at least one cationogenic and/or cationic group per molecule.

38. (Currently amended) The hairspray composition according to claim 37, wherein the component e) is selected from esters of α,β -ethylenically unsaturated mono- and dicarboxylic acids with amino alcohols which may be mono- or dialkylated on the amine nitrogen, amides of α,β -ethylenically unsaturated mono- and dicarboxylic acids with diamines which have at least one primary or secondary amino group, N,N-diallylamine, N,N-diallyl-N-alkylamines and

derivatives thereof, vinyl- and allyl-substituted nitrogen heterocycles, vinyl- and allyl-substituted heteroaromatic compounds and mixtures thereof.

39. (Currently amended) The hairspray composition according to claim 38, wherein component e) comprises at least one compound which is selected from the group consisting of N-(tert-butyl)aminoethyl (meth)acrylate, N,N-dimethylaminoethyl (meth)acrylate, N-[3-(dimethylamino)propyl](meth)acrylamide, vinylimidazole and mixtures thereof.

40. (Currently amended) The hairspray composition according to claim 33, further comprising incorporated in the form of polymerized units, at least one further monomer f) which is selected from esters of α,β -ethylenically unsaturated mono- and dicarboxylic acids with C₁-C₃₀-alkanols and C₁-C₃₀-alkanediols, which esters differ from component a), amides of α,β -ethylenically unsaturated mono- and dicarboxylic acids with C₂-C₃₀-amino alcohols which have a primary or secondary amino group, N-vinyl lactams, N-vinyl amides of saturated monocarboxylic acids, primary amides of α,β -ethylenically unsaturated monocarboxylic acids and N-alkyl and N,N-dialkyl derivatives thereof, which primary amides differ from component b), esters of vinyl alcohol and allyl alcohol with C₁-C₃₀-monocarboxylic acids, vinyl ethers, vinylaromatics, vinyl halides, vinylidene halides, C₁-C₈-monoolefins, nonaromatic hydrocarbons having at least two conjugated double bonds and mixtures thereof.

41. (Currently amended) The hairspray composition according to claim 40, wherein component f) is selected from the group consisting of C₁-C₃-alkyl methacrylates, hydroxy-C₁-C₃-alkyl methacrylates and mixtures thereof.

42. (Currently amended) The hairspray composition according to claim 41, wherein the component f) comprises or consists of ethyl methacrylate.

43. (Withdrawn - Currently amended) The composition according to claim 33, which comprises, incorporated in the form of polymerized units,

- from 30 to 90, ~~particularly preferably from 40 to 85~~, % by weight of at least one compound a),
- from 3 to 50, ~~particularly preferably from 5 to 40, in particular from 10 to 35~~, % by weight of at least one compound b),
- from 5 to 40, ~~particularly preferably from 7 to 35, in particular from 10 to 30~~, % by weight of acrylic acid c),
- from 0 to 25, ~~particularly preferably from 1 to 20, in particular from 5 to 15~~, % by weight of methacrylic acid d),
- from 0 to 25, ~~particularly preferably from 1 to 20, in particular from 2 to 10~~, % by weight of at least one compound e),
- from 0 to 25, ~~particularly preferably from 0.1 to 20, in particular from 5 to 15~~, % by weight of at least one compound f),
- from 0 to 5, ~~particularly preferably from 0.01 to 3, in particular from 0.1 to 2~~, % by weight of at least one crosslinking agent g).

44. (Currently amended) The hairspray composition according to claim 33, which consists of repeating units of

- tert-butyl acrylate,
- methacrylamide and/or N-(tert-butyl)acrylamide,
- acrylic acid.

45. (Withdrawn - Currently amended) The hairspray composition according to claim 33, which consists of repeating units of

- tert-butyl acrylate,
- methacrylamide and/or N-(tert-butyl)acrylamide,
- acrylic acid and
- methacrylic acid.

46. (Withdrawn - Currently amended) The hairspray composition according to claim 33, which consists of repeating units of

- tert-butyl acrylate,
- N-acryloylmorpholine or N,N-dimethylacrylamide and
- acrylic acid.

47. (Withdrawn - Currently amended) The hairspray composition according to claim 33, which consists of repeating units of

- tert-butyl acrylate,
- methacrylamide and/or N-(tert-butyl)acrylamide,
- N-vinylpyrrolidone and
- acrylic acid.

48. (Withdrawn - Currently amended) The hairspray composition according to claim 33, which consists of repeating units of

- tert-butyl acrylate,
- methacrylamide and/or N-(tert-butyl)acrylamide,
- N-vinylpyrrolidone,
- acrylic acid and
- methacrylic acid.

49. (Withdrawn - Currently amended) The hairspray composition according to claim 33, which consists of repeating units of

- tert-butyl acrylate,
- tert-butyl methacrylate,
- methacrylamide and/or N-(tert-butyl)acrylamide and
- acrylic acid.

50. (Withdrawn - Currently amended) The hairspray composition according to claim 33, which consists of repeating units of

- tert-butyl acrylate,
- tert-butyl methacrylate,

- methacrylamide and/or N-(tert-butyl)acrylamide,
- acrylic acid and
- methacrylic acid.

51. (Withdrawn - Currently amended) The hairspray composition according to claim 33, which consists of repeating units of

- tert-butyl acrylate and/or tert-butyl methacrylate,
- methacrylamide and/or N-(tert-butyl)acrylamide,
- acrylic acid and
- N-(tert-butyl)aminoethyl (meth)acrylate or N-[3-(dimethylamino)-propyl]methacrylamide or N-vinylimidazole.

52. (Withdrawn - Currently amended) The hairspray composition according to claim 33, which consists of repeating units of

- tert-butyl acrylate and/or tert-butyl methacrylate,
- methacrylamide and/or N-(tert-butyl)acrylamide,
- acrylic acid,
- methacrylic acid and
- N-(tert-butyl)aminoethyl (meth)acrylate or N-[3-(dimethylamino)propyl]-methacrylamide or N-vinylimidazole.

53. (Withdrawn - Currently amended) The hairspray composition according to claim 33, which comprises, incorporated in the form of polymerized units,

- a) tert-butyl acrylate and/or tert-butyl methacrylate,
- b) methacrylamide and/or N-(tert-butyl)acrylamide,
- c) acrylic acid and
- f) at least one compound which is selected from C₁-C₃-alkyl methacrylates, hydroxy-C₁-C₃-alkyl methacrylates and mixtures thereof,

with the proviso that the proportion by weight of component a) is equal to or greater than the proportion by weight of component f).

54. (Withdrawn - Currently amended) The hairspray composition according to claim 53, which consists of repeating units of

- tert-butyl acrylate,
- methacrylamide and/or N-(tert-butyl)acrylamide,
- acrylic acid
- methacrylic acid and
- ethyl methacrylate.

55. (Withdrawn - Currently amended) The hairspray composition according to claim 33, which comprises, based in each case on the total weight of the monomers used for the polymerization,

- from 40 to 80% by weight, ~~preferably from 45 to 75% by weight~~, of tert-butyl acrylate and ethyl methacrylate, with the proviso that the proportion by weight of tert-butyl methacrylate is equal to or greater than the proportion by weight of ethyl methacrylate,

- from 5 to 30% by weight, ~~preferably from 7 to 25% by weight~~, of methacrylamide and/or N-(tert-butyl)acrylamide,

- from 5 to 30% by weight, ~~preferably from 5 to 15% by weight~~, of acrylic acid and

- from 0 to 25% by weight, ~~preferably from 5 to 20% by weight~~, of methacrylic acid,

incorporated in the form of polymerized units.

56. (Currently amended) The hairspray composition according to claim 33, wherein the component B) is selected from

- i) water,
- ii) water-miscible organic solvents, ~~preferably C₂-C₄-alkanols, in particular ethanol~~,
- iii) oils, fats, waxes,
- iv) esters of C₆-C₃₀-monocarboxylic acids with monohydric, dihydric or trihydric alcohols, which esters differ from iii),
- v) saturated acyclic and cyclic hydrocarbons,
- vi) fatty acids,
- vii) fatty alcohols,
- viii) propellants

and mixtures thereof.

57. (Currently amended) The hairspray composition according to claim 33, comprising at least one additive which differs from the components A) and B) and is selected from the group consisting of cosmetically active substances, emulsifiers, surfactants, preservatives, perfume oils, thickeners, hair polymers, hair and skin conditioners, graft polymers, water-soluble or dispersible silicone-containing polymers, light stabilizers, bleaches, gel formers, care compositions, colorants, tinting compositions, tanning compositions, dyes, pigments, consistency agents, humidifiers, refatting agents, collagen, protein hydrolysis products, lipids, antioxidants, antifoams, antistatic agents, emollients and softeners.

58-59. (Canceled)

60. (Currently amended) The hairspray composition according to claim 33, wherein the composition is a hair setting composition and/or a conditioner ~~in a hair treatment composition~~.

61-67. (Canceled)